

FAMILY DAY HOMES



Phase 1 Pre-Application Training

Updated 07/22/2016



Welcome to Phase 1: Pre-Application Training for Family Day Homes. This training reviews the application process that must be completed in order to be granted a license by the Department of Social Services' Division of Licensing Programs.

The Standards for Licensed Family Day Homes, the application, and the forms necessary to prepare to apply for a license are available on the DSS Public Website. You may decide that you do not need to print all of the materials right now. At this point you may want to access copies of the Standards for Licensed Family Day Homes and the Initial Application for family day homes. You can also find these documents on this website. Go to the "Family Day Homes" page and click on "Regulations and Code" and "New FDH Applicants".

Introduction and Definitions



Introduction and Definitions

Agenda:

- Introduction and Definitions
- The Code of Virginia and Regulations
- Before You Apply for a License
- Licensee Responsibilities
- Preparing the Application
- The Initial Inspection
- The Role of the Licensing Inspector
- Next Steps



This PowerPoint presentation will cover the following segments/topics:

- Introduction and Definitions
- The Code of Virginia and Regulations
- Before You Apply for a License
- Responsibilities of the Licensee
- Preparing the Application
- The Initial Inspection
- The Role of the Licensing Inspector
- Next Steps

Background Information:

Division of Licensing Programs – Adult and Children’s Programs

- **Eight Regional Licensing Offices in Virginia.**
 - **88 Licensing inspectors for children’s programs**
 - **33 Licensing inspectors for adult programs**
 - **9 Licensing administrators for children’s programs**

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Virginia maintains a total of eight regional licensing offices which are located in Richmond, Fairfax, Warrenton, Norfolk, Newport News, Roanoke, Fishersville, and Abingdon. Each office has at least one licensing administrator responsible for issuing licenses, overseeing licensing activities, and supervising licensing inspectors assigned to inspect and monitor children’s or adult programs.

There are a total of 88 Licensing Inspectors for children’s programs and 33 for adult programs. There are a total of 15 Licensing Administrators. Nine of them serve children’s programs, four serve adult programs and two supervise inspectors from both programs. .

The Contact Information Sheet for your area can be found on the VDSS public web site under “FDH-New Applicants-Becoming Licensed.” It provides a list of each office, addresses, phone numbers and the cities and counties served by that office.

What is a Family Day Home?

- Defined in 63.2-100 of the Code of VA
- Child day program in the residence of the provider or one of the children in care
- Serves 1 to 12 children under 13 years of age, excluding provider's children
- License is required if 5 or more children are in care
- License or voluntary registration is required if more than 4 children under the age of 2 years are in care, including provider's own children
- License is not required if all children in care are related to the provider by blood or marriage.

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What is a "Family Day Home"?

Section 63.2-100 of the Code of Virginia defines family day home. The definition can be a little confusing, so here are some of the highlights.

"Family day home" means a child day program offered in the residence of the provider or the home of any of the children in care for one through 12 children under the age of 13, exclusive of the provider's own children and any children who reside in the home, when at least one child receives care for compensation. The provider of a licensed or registered family day home shall disclose to the parents or guardians of children in their care the percentage of time per week that persons other than the provider will care for the children. Family day homes serving five through 12 children, exclusive of the provider's own children and any children who reside in the home, shall be licensed. However, no family day home shall care for more than four children under the age of two, including the provider's own children and any children who reside in the home, unless the family day home is licensed or voluntarily registered. However, a family day home where the children in care are all related to the provider by blood or marriage shall not be required to be licensed.

Please note that the acronym "FDH" when used represents family day home.

What is a residence?

For licensing purposes, a residence means the principal & legal place where the provider lives.

The person's legal address can be verified by:

- Confirming with neighbors or other collateral contacts
- Observing the home
- Viewing voter registration card or driver's license.



For licensing purposes, a residence means the principal and legal place where the provider lives.

The person's legal address can be verified by:

1. Confirming with neighbors or other collateral contacts that the person lives in a certain location;
2. Observing the home to see if it contains indicators of someone living there (furnishings, household items, clothing); and
3. Viewing the individual's voter registration card or driver's license.

The location of the family day home of a new applicant for licensure must be the applicant's principal, legal place of abode.

There is one exception: If you refer back to the definition of a Family Day Home, the Code allows you to operate your family day home in the home of one of the children in care. If you are attempting to operate from the residence of one of the children in care, you should contact your regional licensing office and discuss the situation with a licensing representative. If licensed to provide care in the home of a child, we would need to verify that the child actually receives care and that the home is the child's legal residence.

The *Code of Virginia* and Regulations

Authority for oversight of the licensing process is in the *Code of Virginia* and the *Standards for Licensed Family Day Home*.

The Code of Virginia is located at <http://law.lis.virginia/vacode>

Code of Virginia

- The provider must understand all requirements.



Title 63.2, Chapters 1, 17, and 18, of the Code of Virginia, grants the Department of Social Services the authority to adopt regulations for the purpose of licensing family day homes. This adopted regulation is entitled the *Standards for Licensed Family Day Homes*. A family day home must be in compliance with this regulation in order to be licensed. A family day home operator must read and understand all the requirements of the standards.

Standards for Family Day Homes



The standards are referred to as administrative law and contain the rules and regulations under which a family day home must be operated in order to be licensed. The next step in the training process, Phase 2, offers an opportunity to ask licensing staff questions on preparing for the initial inspection.

A copy of the standards can be printed from the VDSS website located on the “Family Day Homes” page under “Regulations & Code References” tab or you may order a copy of the standards for a fee of \$8.00. All orders must be made using the “Publication Order Form” and accompanied by the appropriate fees in order to be processed. The order form can be accessed on the “Family Day Home” page under “Current FDH Providers – Forms – All Other.”

The Division of Licensing Programs strongly recommends that each applicant bring their own copy of the standards to the Phase 2 training. The Division provides an office copy for anyone who might forget to bring a copy. However, all office copies must be returned to the licensing staff at the end of the training. No copies of the standards will be available for purchase at the training.

Before You Apply for a License



Before you apply for a license, there are some critical items you need to consider before operating a family day home...

Are you the right person for the job?

- Do you have the time and energy for the job?
- What is your motivation?
- Do you have programmatic experience?
- Do you have a high school diploma or GED?



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ARE YOU THE RIGHT PERSON FOR THE JOB?

As anyone who has provided child care knows, planning and running a family day home business takes a great deal of time and energy. Because of this, it's important that you look at your motivations, personality, skills, and experience to determine whether child care is the right job for you. You need to have at least three months of child care programmatic experience and a high school diploma or GED to apply for a license. Programmatic experience is the amount of time spent working directly with children in a group that is located away from the child's home. This time must add up to the equivalent of three months of full-time work (40 hours a week). Keep in mind that being a licensed child care provider means you are a child care professional who works at home and not a "babysitter."

Can you read, write and speak in English?



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CAN YOU READ, WRITE AND SPEAK ENGLISH?

The *Standards for Licensed Family Day Homes* require that caregivers have the ability to speak, read, and write in English, and demonstrate an understanding of the standards.

Are you allowed to operate a family day home in your locality?



Local Ordinances: Before pursuing licensure, check with your local zoning office to inquire about any local ordinances required to operate a FDH.

A locality may restrict the capacity of your FDH.

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ARE YOU ALLOWED TO OPERATE A FAMILY DAY HOME IN YOUR LOCALITY?

Check with your locality BEFORE pursuing licensure.

Did you know that...

- Some (but not all) localities restrict who may be an assistant in your family day home? In those specific localities, if you were to hire a non-household member to work as your assistant, you would need to be rezoned.
- A locality has the ability to restrict the capacity of your family day home?
- As a family day home provider you will be responsible for complying with laws and ordinances like business licenses, zoning, OSHA, ADA, etc. that licensing does not directly enforce.
- When requested, and because it is public information, licensing will provide a list of licensed family day homes to localities, agencies, or other entities. For example, the localities often request the information for zoning enforcement and/or business tax collection purposes.
- You will be required to submit a "Contact with Local Zoning Administrator" document with your application?

Is there a need for child care in your area?

It is recommended that you evaluate the local child care market because it is important to know whether there are demands for your services before you invest your time and money.

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IS THERE A NEED FOR CHILD CARE IN YOUR AREA?

Your family day home is a **BUSINESS** and you need a plan! A well run business starts with a business plan. We recommend that you conduct a needs assessment first, which is an important part of any business plan. Evaluate your local family child care market by contacting area businesses, schools, friends, and neighbors to name a few resources. Checking with your local chamber of commerce or community development organization can help to gauge the possibility of increased child care needs from businesses that your community may be recruiting. It is important to know whether there are demands for child care services before investing your time and money. Please keep in mind that the Department of Social Services does not “send” you children. It is your responsibility to find families who want to use your services.

There are advantages to home-based versus center-based child care. Nationally, studies indicate some families with infants and toddlers prefer to use family day home providers because of the preference for home-like settings and smaller groups of children that family day homes offer. Many parents prefer to keep siblings together in family day home arrangements instead of in separate classrooms as done in center-based child care. Parents also report that they value the extended family relationships that develop over several years with the same primary provider.

What type of program will you offer?

Consider the type of program you want to provide:

How are you going to meet the developmental needs of the children in your care?

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WHAT TYPE OF PROGRAM WILL YOU OFFER?

Another aspect of the business plan is determining how you will market your services. Defining the type of program is critical to marketing your program. Questions to ask yourself include: how am I going to meet the developmental and care needs of the children enrolled in my family day home? What are the ages of the children that I will enroll? How many children can I reasonably enroll?

What is your business structure?

Plan your Family Day Home Business:

- Tax and legal structure
- Need a lawyer and/or an accountant?



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WHAT IS YOUR BUSINESS STRUCTURE?

Are you going to operate your business as a sole proprietor (owned and operated by one person...you) or are you thinking about becoming an LLC (Limited Liability Company), a separate legal entity that limits your personal liability?

Do you need to obtain a Federal Employer Identification Number (commonly known as an EIN)? You must have an EIN if you have a least one employee.

Will you need to pay unemployment taxes?

To help you figure out answers to these and other questions, it may be helpful to consult with a lawyer or an accountant.

Where will care be provided in your home?

- Survey your entire home and property for possible hazards.
- Consider the rooms and space to determine your requested licensed capacity.
- Plan how to ensure safety if you have a fireplace, pool, hot tub, or body of water.
- Consider repairs or renovations for items in your home that might need to be repaired or renovated and consider the cost.

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Where will care be provided in your home? You will need to conduct an evaluation of your home environment. The following are things to consider:

Is your home safe? Your home must be in compliance with all required standards. Although you may have safeguarded your home for your own children, you will likely have to increase the level of safety before you begin to care for others' children. Survey your entire home and property to find possible hazards. For example, to minimize risk of children wandering out of your yard, you may want to install a fence.

Is the size of your home appropriate for the number of children you want to enroll? Consider the rooms and space to determine your requested licensed capacity. Remember that not every day is perfect weather. Children need adequate indoor space to move around and to rest.

Are there characteristics of your home that require special thought? Do you have a fireplace or a wood-burning heat source? Do you have an above-ground or in-ground pool, a pond or lake or other body of water on your property? Do you have adequate and safe cooling devices for warm weather?

Is your home in good repair? Study the standards to identify items in your home that might need to be repaired or renovated in order to become licensed and consider the cost. For example: Do you have the required guard rails and hand rails for porches, decks, and stairs?

A word of caution: Before investing in toys, high chairs, booster chairs, cribs, cots, etc., you should check that none of these items have been recalled for safety hazards. Contact the Consumer Product Safety Commission's Consumer Hotline at (800) 638-2772 or see <http://cpsc.gov/> on the internet.

Is your home/business protected?

Insurance Considerations:

Homeowner's

Automobile

Liability

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Is your home/business protected? One of the best ways to protect your business is to be **insured**.

- If you are going to operate a business in your home, you are encouraged to notify the carrier for your homeowner's insurance.
 - If you are going to transport children to/from your family day home, you are encouraged to notify the carrier for your automobile insurance.
 - The operator of a family day is **required** to furnish written notification to the parent or guardian of each enrolled child that states whether there is liability insurance in the amount of at least \$100,000 per occurrence and \$300,000 aggregate in force to cover the operation of the family day home.
 - Each parent must acknowledge, in writing, receipt of the written notification.
- Please note that the law **does not** require that each provider have liability insurance. The acknowledgment of receipt of written notification advising the parent or guardian whether or not you have insurance, including any change notifications that may occur, must be maintained on file in the family day home at all times that the child attends and for 12 months after the child's last day of attendance.
- If you rent your home, you should consider notifying your landlord of your intention to operate a child care business.

Will you need to hire an assistant?

Consider:

1. Capacity – total number of children receiving care at any one time
2. Points – calculation of ages of children in care:

Infant - 15 months = 4 points

16 months - 23 months = 3 points

2 years - 4 years = 2 points

5 years - 9 years = 1 point

10 years - 12 years = 0 point

If you have 17 or more points, you MUST have an assistant.

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WILL YOU NEED AN ASSISTANT?

There are two sets of numbers you need to consider: 1) your capacity is the number of children who are receiving care at any one time, **excluding** your own children, and 2) your points which are based on the ages of the children present at any one time, **including** your own children.

Your licensing inspector will determine the “capacity” of your family day home based, in part, on the space you have available to the children in care. The maximum capacity for any licensed family day home is 12. Capacity is the “licensed” capacity or the total number of children receiving care at any one time.

Points are used to determine if you need to hire an assistant to help in your family day home. “Points” are determined by the ages of the children who are present based upon the following scale:

Infant through 15 months = 4 points

16 months through 23 months = 3 points

2 years through 4 years = 2 points

5 years through 9 years = 1 point

10 years through 12 years = 0 point

ALL children, including the provider’s own and resident children

under eight years of age, are included in the points!

At any time that you have 17 or more points, you **MUST** have an assistant present.

Will you administer medications to the children in care?

Medication Administration Training certification (MAT) is required to administer any medication to children in care.

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Another thing to consider is whether or not you will administer medications to the children in your care. If you plan on administering any medications to the children in your care, you must be Medication Administration Training certified, otherwise known as MAT certified.

For more information about the MAT program, go to the “Family Day Homes” page and click on “Current FDH Providers.” Then click on “Additional Resources” to “Child Day Care Provider Training & Development.” Click on “Medication Administration Training.”

Licensee Responsibilities

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There is a lot to think about. But, don't forget you will have all the tools necessary to help you navigate through the process. You can also call your regional licensing office with questions.

If you thoroughly read and become familiar with the requirements for your program, you will be on your way to success.

Licensee Responsibilities

- Assumes responsibility for supervision, care, protection of children under 13 years of age
- Operating without a license is a Class 1 misdemeanor



Licensee Responsibilities

During the less than 24 hour absence of a parent or guardian, the licensed family day home provider assumes responsibility for the supervision, protection, and well-being of children under 13 years of age.

Per the Code of Virginia: Any person that operates a family day home shall be guilty of a Class 1 misdemeanor if he operates without first obtaining a license as required.

Licensee Responsibilities

§ 18.2-371.1 Code of Virginia

- It is a Class 4 felony, when a person responsible for the care of a child, by willful act or willful omission or refusal to provide care for the child's health, causes or permits serious injury to the life or health of the child.
- A willful act or willful omission includes operating or engaging in the conduct of a child welfare agency without first obtaining a license or after the license has been revoked or has expired and not been renewed.
- Contact your licensing office if you question if your program is subject to licensure.



According to § 18.2-371.1 of the Code of Virginia, it is a Class 4 felony, when a person responsible for the care of a child, by willful act or willful omission or refusal to provide care for the child's health, causes or permits serious injury to the life or health of the child.

A willful act or willful omission includes operating or engaging in the conduct of a child welfare agency without first obtaining a license or after the license has been revoked or has expired and not been renewed.

If you have questions regarding whether or not your program is "subject to licensure," please contact your regional licensing office. Remember, the Licensing Contact Sheet contains the addresses and phone numbers of the field offices for all the counties, cities, and towns in the Commonwealth.

Regulations

- *Standards for Family Day Homes*
- *General Procedures and Information for Licensure;*
- *Background Checks for Child Welfare Agencies*

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To be successful as a licensed family day home provider, you will need to be knowledgeable of, and in compliance with, the:

- ***Standards for Family Day Homes;***
- ***General Procedures and Information for Licensure;*** and
- ***Background Checks for Child Welfare Agencies***

These documents can be found on the “Family Day Homes” page under “Regulations & Code References,” and “Background Checks for Child Welfare Investigations.”

As a licensed family day home provider...

Your responsibilities include:

- **Obeying laws**
 - Vehicle inspection
 - Vehicle registration
- **Obeying local ordinances**
 - Restrictions on capacity
 - Business license

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So what does that mean to be in “compliance?”

You are expected to obey laws, such as making sure your vehicle is properly inspected and registered.

You are expected to obey local ordinances. You should find out how many children your city or county will allow you to have in care and whether your city or county requires you to have a business license.

As a licensed family day home provider...

Your responsibilities include:

- **Reporting suspected abuse and/or neglect to Child Protective Services**

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As a licensed family day home provider, you are a MANDATED reporter and must report any suspected abuse or neglect.

The purpose of mandated reporting is to identify children suspected of being abused and neglected as soon as possible so that they can be protected from further harm. Child Protective Services, known as CPS, cannot act until a report is made. As a mandated reporter, you play a critical role in preventing any future harm to children.

Anyone can report suspected child abuse or neglect, but if you are identified in the Code of Virginia as a mandated reporter, you are required by law to immediately report your concerns to the local department of social services or to the Child Abuse and Neglect Hotline.

Under Virginia law, certain professionals are required to report when acting in a professional capacity. These professionals include: Persons providing full or part-time child care for pay on a regular basis which includes a family day home provider.

When a report of suspected child abuse or neglect is made, CPS will determine if the report is valid and whether or not to conduct a family assessment or an investigation.

QUIZ

1. A family day home may be licensed for 14 children. True/False
2. Local zoning requirements can restrict the capacity for a family day home. True/False
3. An assistant is never required in a licensed family day home. True/False

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Let's take a brief quiz to see what you have learned so far.

Answers:

1. False. The maximum number that a family day home can be licensed for is 12.
2. True.
3. False. An assistant is required if the number of points assigned to the ages in care is 17 or higher. A second assistant would be needed for 33 points or higher.

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Answers

1. False. The maximum number that a family day home can be licensed for is 12.
2. True. Local zoning requirements can restrict the capacity for a family day home.
3. False. An assistant is required if the number of points assigned to the ages in care is 17 or higher. A second assistant would be needed for 33 points or higher.

Preparing the Application



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Let's discuss the application.

This may be your first exposure to the licensing process. Keep in mind that there will be other opportunities to meet face-to-face with a licensing representative as you move forward in the licensing process.

The forms for the application can be found on the web site on the “Family Day Homes” page under “New FDH Applicants –Application Forms.”

Application Updates

- The FDH Initial Application Form is available on the VDSS Public Website under the Application Forms tab.

https://www.dss.virginia.gov/files/division/licensing/fdh/intro_page/new_applicants/forms/032-08-0093-00-eng.pdf

- Part of this section of training that covers completing the initial application is currently under revision

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The FDH Initial Application is available on the DSS Public website under the Application Forms tab. You can also access it via the hypertext link on the slide. This section of training on the initial application is currently under revision and further development. Please contact your Regional Licensing Office with any questions.

Notes About Application

- 19 Pages
- Part 2. Business Entity
- Hours of Operation
- Number of children in care
- Is your home ready?
- Training
- Educational qualifications

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Before you begin the process of completing the application, we recommend that you read and review all the questions in advance. The Family Day Home Initial Application is 19 pages long. If anything is missing or incomplete, the application will be returned to you to complete. It will be helpful to gather all required/relevant documents before completing the application.

A few helpful notes -- You may wish to give additional consideration when completing Part 2 Business Entity. Most Family Day Home providers are sole proprietors. If you are not a sole proprietorship, you will need to obtain additional documentation and answer additional questions about your type of business. When considering your business, you will need to document your hours of operation and how many children you would like to serve. The number of children requested is not always the licensed capacity allowed. There also will be a number of questions regarding your home, such as whether or not you have a fireplace, how many rooms will be available for the children, space for the children, etc. You also will need to complete some training, such as on First Aid, and have other qualifications, such as a high school diploma or GED, for example. If you have questions that cannot be covered by the instructions in the application, you should contact your Licensing office for clarification or further information.

Background Check Procedures

▼ Background Investigations

Forms

- Request for Search of the Child Protective Services (CPS) Central Registry (PDF)
- Sworn Statement or Affirmation for Child Day Programs (PDF)

Documents & Procedures

- Background Checks for Child Welfare Agencies (PDF)
- Background Investigation Procedures Child Day Care Programs (PDF)
- Barrier Crimes (PDF)
- Convictions Requiring Registration in the Sex Offender and Crimes Against Minors Registry
- Other States - Instructions for Out of State CPS Searches (PDF)
- Other States - Interstate Child Care Background Check Contact List (PDF)
- State Police Sex Offender and Crimes Against Minors Registry

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As part of the initial application process, you will need to apply for background checks for yourself, all individuals listed on the business entity page of the application (the licensee), any adults residing in your home, and any caregivers. Household members 14 years of age and older will need to complete a CPS Central Registry check. You should begin by accessing and reviewing all the documents and procedures on the DSS Public Website under the Tab entitled Background Investigations, including the Background Checks for Child Welfare Agencies regulation.

Background Checks required for all

1. **Sworn Statement of Affirmation**
2. **National Criminal Background through Fingerprinting**
3. **Virginia Child Protective Services (CPS) Central Registry Clearance**

https://www.dss.virginia.gov/files/division/licensing/cdc/intro_page/background_investigations/forms/032-02-0151-12-eng.pdf

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The licensing inspector will review the background clearances at the initial inspection. Three background checks are required for any applicant, all individuals listed on the applicant's business entity page, any caregiver, and adult household members who are 18 years of age and older. **IMPORTANT NOTE:** If any of these individuals have lived in another state in the past five years, they also must obtain three additional out-of-state background checks. You, your staff and any volunteers who will be alone with, in control of, or supervising children, must have the Sworn Statement or Affirmation, Virginia CPS Central Registry Check and National Criminal Background Check through Fingerprinting. **1. Sworn Statement or Affirmation.** This is completed by the person needing the background checks. You have the option of using the model form on the DSS Public Website that is available on the hypertext link that follows:

https://www.dss.virginia.gov/files/division/licensing/cdc/intro_page/background_investigations/forms/032-05-0160-10-eng.pdf

2. National Criminal Background Check. This is fingerprint based and results are obtained through the VDSS Office of Background Investigations (OBI). It is a determination as to whether the person has criminal convictions. Barrier crimes are certain convictions which prevent a person from being able to work with children in a licensed facility or applying for a license. This is completed after your initial application has been submitted. You will be contacted by your regional licensing office and provided with information on how to obtain this check. **3. Virginia Child Protective Services (CPS) Central Registry Check.** This check is obtained from VDSS. This check is done to determine if a person is listed on the Virginia Child Abuse and Neglect Central Registry which would prevent them from working with children in a licensed facility or applying for a license. All care givers, adults living in the home, and household members ages 14 years and older must have a CPS Central Registry Check. It only checks the registry in Virginia. You can find the form to request a search on the Virginia DSS website under Background Investigations. The direct link to the form is on the slide.

IMPORTANT NOTE: The applicant, any individuals listed on the applicant's business entity

page, any caregiver, and adult household members who are 18 years of age and older and have lived in another state in the past five years also must obtain three additional out-of-state background checks.

Out-of-State Background Checks

- Interstate Criminal Background Check
- Interstate Sex Offender Registry Check
- Interstate Child Abuse and Neglect Registry Check

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Out-of-State Background Checks are required for applicants, volunteers, household members and staff who have had residency in another state(s) in the past five years..

1. Interstate Criminal Background Check. This checks for additional criminal convictions which a state has not reported to the FBI and therefore could not be identified during the National Criminal (fingerprint) Background Check. Use the link below to find the state and follow the instructions in Column 1 to obtain this check. **NOTE:** If your state is listed in RED font on this page, it is a state that does share all convictions with the FBI and, therefore, you DO NOT need to complete this particular check.)

2. Interstate Sex Offender Registry Check. This checks to see if the person is listed on a state's Sex Offender Registry. Use the link below to find the state and follow the instructions in Column 2 to obtain this check.

3. Interstate Child Abuse and Neglect Registry Check. This checks to see if the person is listed on a state's Child Abuse and Neglect Registry. Use the link below to find the state and follow the instructions in Column 3 to obtain this check.

The link to the **Interstate Child Care Background Check Contact List** is where you will find instructions on how to find the above three background checks. **IMPORTANT NOTE:** Make sure to read and follow the instructions because each state has a different way to request the checks/searches.

https://www.dss.virginia.gov/files/division/licensing/cdc/intro_page/background_investigations/guidance_procedures/other_states_request_for_search_of_the_cps_central_registry.pdf

When due?

- Before a License can be issued
- May not be more than 90 days old at time of license issuance

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All required background checks **MUST** be complete before a license can be issued, **BUT** completed background checks may not be more than 90 days old at the time your license is issued.

Office of Background Investigations

The VDSS Office of Background Investigations (OBI) oversees the Virginia CPS Central Registry and the interpretation of criminal history fingerprinting results.

Phone number: (804) 726-7884

VDSS Webpage for Background Investigations information



The VDSS Office of Background Investigations oversees the Virginia CPS Central Registry and interpretation of criminal history fingerprinting results. Their phone number is (804) 726-7884.

For information on background checks, please visit the VDSS background investigations web page. It is available from the Child Day Center Page by selecting the Background Investigations tab. The Background Checks regulations and Background Investigations Procedures, as well as other information are available under the Documents and Procedures bullet.

https://www.dss.virginia.gov/facility/child_care/licensed/child_day_centers/index.cgi

Barrier Crimes

- The provider is responsible for reviewing any record received for a barrier crime conviction.
- An individual with a barrier crime is prohibited from working, volunteering or being an applicant, agent or household member for a child day program.
- The Child Care Barrier Crimes list is available on the VDSS website.

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Results of the background checks will be used to determine if the individual has a barrier crime that would prevent him from legally caring for children or operating a child care facility or family day home. After receiving the results of background checks, providers must access the Barrier Crimes List via the DSS Public Website or hypertext link provided to see if any convictions that are in the background check results would be a barrier crime. If a staff discloses a felony conviction within the past 5 years, a conviction of a barrier crime, or a central registry finding, then the staff is not eligible for employment. The Barrier Crimes list is available on the DSS Public Website on the Child Day Centers page – then select the Background Investigations tab – and then the Documents and Procedures tab.

https://www.dss.virginia.gov/files/division/licensing/fdh/intro_page/background_investigations/guidance_procedures/barrier_crimes.pdf

Your Regional Licensing Office

For questions about
Background Checks, contact
your Regional Licensing Office.

Tuberculosis Screening

Provider, assistants, and adults in home shall each have a statement that:

- They are free of TB in communicable form
- Is signed by physician, his designee, or health department representative
- Was completed in the past 30 days.

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Tuberculosis, referred to as TB, is a disease caused by germs that are spread from person-to-person through the air. Screening for TB infections and providing treatment to prevent progression to active disease are important in the ultimate elimination of tuberculosis.

Please note that you are not required to have a TB skin test; instead your physician or health department representative will conduct a risk assessment or screening to determine whether or not additional testing or treatment will be required. You need to submit the results of the TB screening with your application. The statement must indicate that the person is free of tuberculosis in a communicable form. The statement must be signed and dated by a physician, physician's representative, or representative of the health department and shall have been completed within the past 30 days.

Sample TB Screening Form

- Update the screening every two years
- Submit a copy with your application

**REPORT OF TUBERCULOSIS SCREENING
CHILDREN'S PROGRAMS**

Standards and child care policy require certain individuals to submit a report indicating the absence of tuberculosis in a communicable form when involved with (i) children's facilities regulated by the Department of Social Services or (ii) legally operating child care programs, including care by relative, that receive Child Care and Development Fund. Each report must be dated and signed by the examining physician, the physician's designee, or an official of a local health department. When signed by the physician's designee, the form must also identify the physician-physician practice with which the physician-designated screener is affiliated.

Name: _____ Date of Birth: _____
Address (Street, City, State, Zip Code): _____

1) _____ A tuberculin skin test (TST) is not indicated at this time due to the absence of symptoms suggestive of active tuberculosis, risk factors for developing active TB or known recent contact exposure.

2) Tuberculin Skin Test (TST): Date given: _____ Date read: _____
Result: _____ mm Positive _____ Negative _____

3) _____ The individual has a history of a positive tuberculin skin test (latent infection). Follow-up chest x-ray is not indicated at this time due to the absence of symptoms suggestive of active tuberculosis.

4) _____ The individual either is currently receiving or has completed medication for a positive tuberculin skin test (latent TB infection) and a chest x-ray is not indicated at this time. The individual has no symptoms suggestive of active tuberculosis disease.

5) _____ The individual had a chest x-ray on _____ (date) at _____ (location) that showed no evidence of active tuberculosis. As a result of this chest x-ray and the absence of symptoms suggestive of active tuberculosis disease, a repeat film is not indicated at this time.

Based on the available information, the individual can be considered free of tuberculosis in a communicable form.

Signature/Title: _____ (Print Name/Title) Date: _____
Address (including name of practice, if appropriate): _____

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This is a sample TB screening form. You may use a form from your physician or health care provider. Remember to send a copy of the screening with your application and keep the original in your files. The subsequent screenings will need to be obtained every two years.

The sample form can be found under “New FDH Applicants – Application Forms.”

Additional Information

The following additional information is required with the Initial Application:

- Copies of written information to be shared with parents, if you are not using the Information and Agreement Form provided by our office.
- Copies of samples of all forms developed, including children's application, agreements, forms, etc. when you are not using model forms from our office.

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The following additional information will help to process your application in a timely manner:

1. Submit copies of written information to be shared with parents, if you are not using the Information and Agreement Form provided by our office.
2. Include samples of all forms developed, including children's application, agreements forms, etc. when you are not using model forms from our office.

Additional Information

- Verification of your high school graduation or completion of a GED
- Verification of your age and age of your assistant and/or substitute
- Staff Information Sheet
- Documentation of three months of programmatic experience

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You must verify that you have completed high school or the General Equivalency Development program with a copy of the diploma or certificate. To verify your age and the age of your assistant and/or substitute you can attach a copy of a driver's license, birth certificate, or photo ID. The Staff Information sheet is found under the "Application Forms" under "New FDH Applicants." Documentation of three months of programmatic experience can be in the form of letters from parents, child care co-workers, supervisors, or other persons who can attest to the experience. For more information on programmatic experience requirements see Standard 140.B.2 on page 27 in the *Standards for Licensed Family Day Homes*.

The 60 day time frame begins upon the Licensing Office's receipt of a **COMPLETE** application.



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The Code Of Virginia requires the Division to take action on a complete application within 60 days of being received...but the “clock” doesn’t start “ticking” until we have a COMPLETE application...

Sending in an incomplete application will only slow down the process of obtaining a license.

The Initial Inspection



The **Initial Study** will be scheduled and conducted at a mutually convenient time. Your Licensing Inspector will inspect your entire home and property and review all licensing standards.

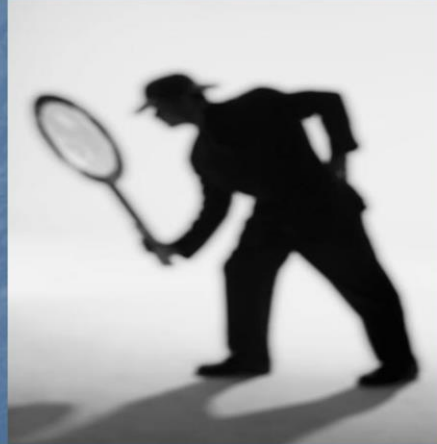
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After you have attended the next training, Phase 2:Pre-Licensure Orientation and we have received your complete application, a licensing inspector will be assigned to you. The licensing inspector will contact you to set up a mutually convenient time to conduct an initial inspection. When a licensing inspector comes to your home to conduct an initial inspection, **all** standards will be checked to determine compliance.

Please note that a licensing inspector will inspect your entire house and property, including the areas and rooms that will not be used for child care. Areas and rooms not used for child care are inspected to ensure that they do not contain any open and/or obvious safety hazards.

The Role of the Licensing Inspector

- Reviewing the application
- Determining compliance with the standards
- Making recommendation to the licensing administrator the appropriate action
- Monitoring continued compliance with the standards
- Providing technical assistance and consultation



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What is the role of the licensing inspector? A Licensing Inspector is responsible for:

- Reviewing your application.
- Determining if your home is in compliance with the *Standards for Family Day Homes* through an inspection of your home prior to licensure.
- Recommending to the licensing administrator the appropriate action to be taken based upon your compliance with the standards and confirmed by the inspection findings and the information you have provided.
- After a license is issued, monitoring your continued compliance with the standards through a series of unannounced inspections and to provide written notification of the findings of these inspections.
- Assisting you in developing ways to comply with the standards and discuss options when applicable.
- Providing consultation in the areas of program, nutrition, health, administration and other aspects of child care.

The licensing inspector will welcome comments, input and recommendations you may have about the licensing process. After an inspection, if you find that you disagree with the interpretation or applicability of a standard by the licensing inspector, you can make arrangements to discuss your concerns with the licensing administrator in the regional licensing office. The *General Procedures and Information for Licensure* referenced in slide 22 will give guidance on this. Often problems can be resolved quickly and easily through this informal administrative review process.

Next Steps...

Sign-up for Phase II

If you plan to submit an application, please sign-up for the next training session. The **Phase II Pre-Licensure Orientation** is free of charge and is **REQUIRED** prior to the issuance of your license.

Remember to bring your copy of the Standards!

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Congratulations! You have completed Phase 1: Pre-Application Training for Family Day Homes.

Now you are ready to attend the Phase II Pre-Licensure Orientation for Family Day Homes. In Phase II, a licensing representative will focus on the key health and safety standards, as contained in the *Standards for Licensed Family Day Homes*. Please remember that Phase II is required prior to the issuance of your license.

Contact the licensing office that serves your area with any questions you may have, and to sign up for the Phase II class.

Another Option: Voluntary Registration

- Regulation for a home caring for four or less children
- www.dss.virginia.gov – Voluntarily Registered Family Day Homes (VRFDH)
- Contact Cindy Carneal-Heflin at (804) 726-7140



There is another option you may want to consider if you have decided that the licensure process is not for you. Voluntary Registration is a form of regulation offered to family day homes that are not required to be licensed. These homes have four or fewer children in care, not including provider's own children and any children who reside in the home. To register, a family day home provider submits a completed application packet and a non-refundable \$50.00 fee. The provider, all adult household members, and any substitute providers or assistants must undergo a criminal history name search, child abuse registry clearance, and submit a sworn statement or affirmation. The same individuals must also submit the results of a tuberculosis screening at the time of their initial application and subsequent renewals. The results of the TB screening and background checks are submitted with the application. The applicant also completes a self-assessment of their home using the established health and safety criteria. An inspection is completed by the contract agency or a department representative to confirm compliance and ensure basic child safeguards are in place.

Upon recommendation by the contract agency, VDSS Commissioner then issues them a two-year certificate of registration. During two-year period, the contracting agency and VDSS licensing staff monitor a small sample of registered homes for compliance with staffing requirements and a health and safety checklist.

Contact Cindy Carneal-Heflin at (804) 726-7140 for more information on this process.